



January 31, 2005

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**BY FACSIMILE: (617) 951-0989**  
**AND FIRST CLASS MAIL**

David P. Hutchinson, Esquire  
Taylor Ganson and Perrin, L.L.P.  
160 Federal Street  
Boston, Massachusetts 02110

**Re: Electric Sports, Inc., Mark Bortman and John E. Conway**

Dear David:

I write to follow up on our telephone conference of January 28, 2005, which I initiated to confirm the status of your representation of Sportbox LLC and William V. Frabizio III. As we discussed at that time, I called you out of concern that -- notwithstanding your written notice dated December 10, 2004 informing us of Taylor, Ganson & Perrin, L.L.P.'s withdrawal as counsel to Sportbox and Mr. Frabizio in connection with the matters underlying the pending federal court litigation among our current and your former clients -- Mr. Frabizio has continued to assert that he is represented by counsel, in particular recently in a DET appeal hearing concerning Mr. Bortman's pending claim for unemployment compensation. By this letter I am confirming your statements to me during our January 28<sup>th</sup> call to the effect that your firm does not represent Sportbox LLC or Mr. Frabizio in connection with the federal court case, Mr. Bortman's DET proceeding, or, more generally, Mr. Bortman's or Mr. Conway's former involvements with Sportbox. If my understanding is in any way inaccurate, please let me know promptly.

Thank you for your assistance in this regard.

Very truly yours,

A handwritten signature in cursive script that reads "Michele A. Whitham".

Michele A. Whitham

cc: Electric Sports, Inc.  
Mr. Mark Bortman  
Mr. John E. Conway

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